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 Wallace, Jr., Richard Childress, Jessica Lockett,  
 Steve F. Urvan, Christos Tsentas, Wayne Walker,  
 Randy Luth, Robert J. Goodmanson, Harry  
 Markley and Ammo, Inc.*

16 [Additional Counsel on Signature Page]

17 **IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ARIZONA**

18 In Re AMMO, Inc. Stockholder Derivative  
 19 Litigation,

20 Lead Case No.: 2:24-cv-02969-SMB

21  
 22 This Document Relates to:

**PARTIES' JOINT STIPULATED AND  
 UNOPPOSED MOTION FOR STAY**

23  
 24 ALL ACTIONS

25  
 26 Plaintiffs George LeBoeuf ("LeBoeuf") and April Ruebsamen ("Ruebsamen," and  
 27 collectively with LeBoeuf, "Plaintiffs"), derivatively on behalf of Ammo, Inc. ("Ammo"

1 or the “Company”), nominal defendant Ammo, and defendants Fred W. Wagenhals, Jared  
2 R. Smith, Robert D. Wiley, Russell William Wallace, Jr., Richard Childress, Jessica  
3 Lockett, Steve F. Urvan, Christos Tsentas, Wayne Walker, Randy Luth, Robert J.  
4 Goodmanson, and Harry Markley (collectively, “Individual Defendants” and with Ammo,  
5 “Defendants”), by and through undersigned counsel, respectfully jointly move this Court,  
6 stipulated and unopposed, for a stay of all deadlines in this Consolidated Derivative Action,  
7 including any discovery and the date for responding to any complaints, subject to the  
8 following terms and conditions:

- 9 1. These consolidated cases are derivative actions filed by Plaintiffs on behalf of the  
10 Company against the Individual Defendants. These actions are related to a putative  
11 securities class action previously filed in this Court captioned *Larmay v. Ammo,*  
12 *Inc., et al.*, 24-cv-02619-PHX-DJH (the “*Larmay* action”). The *Larmay* action is  
13 governed by the provisions of the Private Securities Litigation Reform Act  
14 (“PSLRA”), 15 U.S.C. § 78u-4 of the Securities Exchange Act of 1934 (the  
15 “Exchange Act”). Pursuant to a stipulated motion granted in the *Larmay* action, all  
16 deadlines in that action are postponed until after the appointment of lead plaintiff  
17 and the parties submit a schedule relating to the filing of any amended complaint.
- 18 2. Plaintiffs and Defendants all agree that it is in the best interests of the parties,  
19 including the Company, and will preserve party and judicial resources to stay these  
20 consolidated derivative actions until the earlier of any of the following events (the  
21 “Termination Date”): (i) the related *Larmay* action is dismissed with prejudice; (ii)  
22 any defendant in the *Larmay* action files an answer in that case, or (iii) fourteen days  
23 after Plaintiffs provide a termination notice to counsel for Defendants via email and  
24 file the notice with the Court if and after a related derivative action is not stayed for  
25 a similar or longer duration and Plaintiffs elect to terminate the stay.
- 26 3. Defendants shall promptly notify Plaintiffs of any related derivative actions or  
27 shareholder books and records requests or litigation demands.



1      7. Plaintiffs and their counsel shall promptly be given notice by Defendants upon the  
2      scheduling of any mediation that may be held in the *Larmay* action and Defendants  
3      shall invite Plaintiffs to participate therein.

4      8. Plaintiffs and their counsel shall promptly be given notice by Defendants upon the  
5      scheduling of any mediation that may be held in any related derivative action and  
6      Defendants shall invite Plaintiffs to participate therein.

7      9. Defendants' position is that the stay of this action until the filing of any answer or  
8      the dismissal of the *Larmay* action will not prejudice any party, will reduce the  
9      burden on Defendants, including the Company, will preserve party and judicial  
10     resources, avoid duplicative litigation, avoid potentially inconsistent results, and  
11     serve the interests of justice. A stay is therefore warranted. *See, e.g., Dependable*  
12     *Highway Exp., Inc., v. Navigators Ins. Co.*, 498 F.3d 1059, 1066 (9th Cir. 2007);  
13     *Landis v. North Am. Co.*, 299 U.S. 248, 254-55 (1936). Plaintiffs do not oppose  
14     Defendants' position and agree to the relief requested in this motion.

15     10. Plaintiffs and Defendants submit that this is the first request for a stay of the  
16     deadlines and that the stay is not for the purpose of delay, promotes judicial  
17     efficiency, and will not cause prejudice to any party or non-party.

18     11. Counsel for Plaintiffs and Defendants further certify that they have complied with  
19     the requirements of D.C.AZ.LRCiv 6.1 and D.C.AZ.LRCiv 7.3. The parties have  
20     conferred and have identified the good faith basis for their request (as set forth  
21     above), and the relief requested is sought jointly by all parties.

22     Accordingly, and for good cause shown, Plaintiffs and Defendants jointly request  
23     that this Court grant this stipulation and joint motion staying the pending consolidated  
24     derivative actions (including vacating all pending conferences and deadlines) under the  
25     terms and conditions set forth above. This request is being made without prejudice to any  
26     party's right to seek interim relief and without waiver of any defense that may be raised.

27     **IT IS SO STIPULATED.**

28     / / /

1 RESPECTFULLY SUBMITTED this 31st day of January, 2025.

2 **BALLARD SPAHR LLP**

3 By: /s/ Brian Schulman

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13 **MARTIN & BONNETT, P.L.L.C.**

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 31st day of January, 2025, I electronically transmitted the foregoing document to the U.S. District Court for the District of Arizona Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants.

*/s/ Brian Schulman*

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